

## REMARKS

In accordance with the foregoing, reconsideration of the claims is respectfully requested. Claims 4-6, 8, 10, and 12 are withdrawn from consideration. Claims 1-21 are pending, and claims 1-3, 7, 9, 11, and 13-21 are under consideration.

### **I. REJECTION OF CLAIMS 1-3, 7, 9, 11 AND 13-21 UNDER 35 USC §102(e) AS BEING ANTICIPATED BY KITAHARA (US PUB. NO. 2002/0049647, "KITAHARA").**

Applicants respectfully traverse this rejection.

Kitahara has an effective filing date of October 23, 2001.

The present invention has a US filing date of September 21, 2001, and an effective filing date of May 1, 2001, based on the perfected claim for priority filed with the application on September 21, 2001. Please see the enclosed verified English language translation of the previously submitted priority document, Japanese Patent Application No. 2001-134481 filed on May 1, 2001.

Because Kitahara is not prior art, it is respectfully submitted that the rejection of claims 1-3, 7, 9, 11 and 13-21 is overcome.

### **II. REJECTION OF CLAIMS 1-3, 7, 9, 11 AND 13-21 UNDER 35 USC §102(e) AS BEING ANTICIPATED BY HIROSHIGE ET AL. (US PUB. NO. 2002/0095348, "HIROSHIGE").**

Applicants respectfully traverse this rejection.

Hiroshige has an effective filing date of May 16, 2001.

The present invention has a US filing date of September 21, 2001, and an effective filing date of May 1, 2001, based on the perfected claim for priority filed with the application on September 21, 2001. Please see the enclosed verified English language translation of the previously submitted priority document, Japanese Patent Application No. 2001-134481 filed on May 1, 2001.

Because Hiroshige is not prior art, it is respectfully submitted that the rejection of claims 1-3, 7, 9, 11 and 13-21 is overcome.

### **III. INFORMATION DISCLOSURE STATEMENT.**

Applicants again respectfully note that reference AG, 7-130295 JP, corresponds to reference AA, US Patent No. 5,654,902, as stated in the explanation of relevancy attachment 1(e) to the Information Disclosure Statement filed on November 20, 2001. This evidenced

submission satisfies the provisions of 37 CFR §1.97(e) and MPEP §609.

It is respectfully requested that an initialed copy of form 1449 indicating that such reference was considered be provided with the next Action.

#### IV. CONCLUSION.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date:

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